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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,289	08/03/2005	Pierre-Yves Le Lann	P1935US	9445
8568 7590 10/21/2010 DRINKER BIDDLE & REATH LLP ATTN: PATENT DOCKET DEPT. 191 N. WACKER DRIVE, SUITE 3700 CHICAGO, IL 60606				
EXAMINER EL CHANTIL, HUSSEIN A				
ART UNIT 2441		PAPER NUMBER		
NOTIFICATION DATE 10/21/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DBRIPDocket@dbp.com
IPDockets@dbp.com

Office Action Summary

Application No.

10/544,289

Applicant(s)

LE LANN ET AL.

Examiner

HUSSEIN A. EL CHANTI

Art Unit

2441

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to RCE received April 6, 2010. Claims 1-12 are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim elements "first data synchronization means" and "second synchronization means" are means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function in the specification of the application. Applicant is required to:

- (a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- (b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so

that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-3 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al., U.S. Patent No. 6,694,336 (referred to hereafter as Multer).

As to claim 1, Multer teaches a system for synchronizing data between at least two device portals each hosting at least one personal information manager (PIM) service (see fig. 1), each of said portals being accessible by means of remote access terminals, the system comprising:

first data synchronization means adapted to establish a correspondence between the data stored in the portals, wherein the first synchronization means includes a synchronization client-server architecture (see col. 2 lines 25-58 and col. 8 lines 10-52),

the synchronization client of said architecture comprising, a synchronization client module hosted in a first of said service portals and communicating with a first server implementing the personal information manager service of said first service portal (see col. 2 lines 25-58 and col. 8 lines 10-52),

the synchronization server of said architecture comprising a synchronization server module hosted within at least a second of said service portals and communicating with a second server hosting a personal information manager service of said second service portal, said modules communicating via a computer network (see col. 2 lines 25-58 and col. 8 lines 10-52).

As to claim 2, Multer teaches the system as claimed in claim 1, further comprising a second means for synchronizing data between the portals and at least a portion some of said terminals (see col. 2 lines 25-58 and col. 8 lines 10-52).

As to claim 3, Multer teaches the system as claimed in claim 2, wherein the second synchronization means includes a client-server architecture, the client and the server of said architecture of the second synchronization means respectively comprising, a client module hosted within each of the terminals and, a synchronization module hosted within the portal, said client and synchronization modules communicating via a computer network (see col. 2 lines 25-58 and col. 8 lines 10-52).

As to claim 8, Multer teaches an access platform for services of a first service portal hosting at least one personal information manager (PIM) service, the first service portal comprising a set of at least one server providing access to said services, accessible to remote access terminals and associated with storage means in which personal information is loaded, and a synchronization system between service portals including the first portal, each of said portals being accessible by means of remote access terminals and hosting at least one personal information manager service, wherein the synchronization system comprises

first data synchronization means adapted to establish a correspondence between data stored in the portals, wherein the first synchronization means includes a client-server architecture portal (see col. 2 lines 25-58 and col. 8 lines 10-52), the client and the server of said architecture respectively comprising

a module hosted in the first portal and communicating with a server of said set, and a synchronization module hosted within at least one other portal and communicating with a server hosting a different personal information manager service, said modules communicating via a computer network (see col. 2 lines 25-58 and col. 8 lines 10-52).

As to claim 9, Multer teaches the platform as claimed in claim 8, further comprising means to generate a man-machine interface displays the screen of the terminals, adapted to initiate generation and transmission of synchronization commands intended for the synchronization (see col. 2 lines 25-58 and col. 8 lines 10-52).

As to claim 10, Multer teaches a method of synchronizing data between service portals each hosting at least one personal information manager (PIM) service, the method comprising the steps of:

generating a synchronization command using a man-machine interface supplied by a synchronization client of a client-server architecture hosted, on the one hand, in one of said portals and, on the other hand, in at least one other portal said command conveying information relating to the data to be synchronized (see col. 2 lines 25-58 and col. 8 lines 10-52); and

implementing the synchronization of data between the portals using a synchronization server hosted in said other portal(s) and indicated in the synchronization command (see col. 2 lines 25-58 and col. 8 lines 10-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer in view of Ims et al. U.S. Patent Application Publication No. 2002/0091533 (referred to as Ims).

As to claims 4, 5, and 11, Multer teaches a system and method for exchanging data between two portals using a client server architecture (see fig. 7 and col. 7 lines 35-67). Multer does not explicitly teach that the exchanging data according to a

standardized data synchronization language using content description markers such as XML.

Ims, however, teaches a system and method for exchanging data using XML format (see abstract). It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the exchange of data using content description markers such as XML as described in Ims because XML is very widely known and used in the web information exchange and therefore using XML would make the system and method of Multer compatible with most web interfaces and also would avoid the need to write application specific logic for dealing with service interactions as explicitly suggested by Ims (see Ims abstract).

5. Claims 6, 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer in view of Microsoft Computer Dictionary 5th Edition .

As to claims 6, 7 and 12, Multer teaches a system and method for exchanging data between two portals using a client server architecture (see fig. 7 and col. 7 lines 35-67). Multer does not explicitly teach that the data is presented according to Vcard or Vcalender format.

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Multer by exchanging Vcard or Vcalender format as evident by Microsoft Dictionary that Vcard and Vcalender is a widely used format that's been developed since 1996 and therefore doing so would make versatile and more compatible with other clients that use applications that use Vcard and Vcalender format.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 8-10 rejected under 35 U.S.C. 102(b) as being anticipated by Ng et al., U.S. Patent No. 6,131,096 (referred to hereafter as Ng).

As to claim 1, Ng teaches a system for synchronizing data between at least two device portals each hosting at least one personal information manager (PIM) service (see fig. 1), each of said portals being accessible by means of remote access terminals, the system comprising:

first data synchronization means adapted to establish a correspondence between the data stored in the portals, wherein the first synchronization means includes a synchronization client-server architecture (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62),

the synchronization client of said architecture comprising, a synchronization client module hosted in a first of said service portals and communicating with a first server implementing the personal information manager service of said first service portal (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62),

the synchronization server of said architecture comprising a synchronization server module hosted within at least a second of said service portals and communicating with a second server hosting a personal information manager service of said second service portal, said modules communicating via a computer network (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

As to claim 2, Ng teaches the system as claimed in claim 1, further comprising a second means for synchronizing data between the portals and at least a portion some of said (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

As to claim 3, Ng teaches the system as claimed in claim 2, wherein the second synchronization means includes a client-server architecture, the client and the server of said architecture of the second synchronization means respectively comprising, a client module hosted within each of the terminals and, a synchronization module hosted within the portal, said client and synchronization modules communicating via a computer network (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

As to claim 8, Ng teaches an access platform for services of a first service portal hosting at least one personal information manager (PIM) service, the first service portal comprising a set of at least one server providing access to said services, accessible to remote access terminals and associated with storage means in which personal information is loaded, and a synchronization system between service portals including the first portal, each of said portals being accessible by means of remote access terminals and hosting at least one personal information manager service, wherein the synchronization system comprises

first data synchronization means adapted to establish a correspondence between data stored in the portals, wherein the first synchronization means includes a client-server architecture portal (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62) the client and the server of said architecture respectively comprising

a module hosted in the first portal and communicating with a server of said set, and a synchronization module hosted within at least one other portal and communicating with a server hosting a different personal information manager service, said modules communicating via a computer network (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

As to claim 9, Ng teaches the platform as claimed in claim 8, further comprising means to generate a man-machine interface displays the screen of the terminals, adapted to initiate generation and transmission of synchronization commands intended for the synchronization (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

As to claim 10, Ng teaches a method of synchronizing data between service portals each hosting at least one personal information manager (PIM) service, the method comprising the steps of:

generating a synchronization command using a man-machine interface supplied by a synchronization client of a client-server architecture hosted, on the one hand, in one of said portals and, on the other hand, in at least one other portal said command conveying information relating to the data to be synchronized (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62); and

implementing the synchronization of data between the portals using a synchronization server hosted in said other portal(s) and indicated in the synchronization command (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62).

7. Claims 4, 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng in view of Ims et al. U.S. Patent Application Publication No. 2002/0091533 (referred to as Ims).

As to claims 4, 5, and 11, Ng teaches a system and method for exchanging data between two portals using a client server architecture (see col. 4 lines 20-col. 5 lines 56, col. 7 lines 1-62). Ng does not explicitly teach that the exchanging data according to a standardized data synchronization language using content description markers such as XML.

Ims, however, teaches a system and method for exchanging data using XML format (see abstract). It would have been obvious for one of the ordinary skill in the art at the time of the invention to implement the exchange of data using content description markers such as XML as described in Ims because XML is very widely known and used in the web information exchange and therefore using XML would make the system and method of Ng compatible with most web interfaces and also would avoid the need to write application specific logic for dealing with service interactions as explicitly suggested by Ims (see Ims abstract).

8. Claims 6, 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng in view of Microsoft Computer Dictionary 5th Edition .

As to claims 6, 7 and 12, Ng teaches a system and method for exchanging data between two portals using a client server architecture (see fig. 7 and col. 7 lines 35-67). Ng does not explicitly teach that the data is presented according to Vcard or Vcalender format.

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Ng by exchanging Vcard or Vcalender format as evident by Microsoft Dictionary that Vcard and Vcalender is a widely used format that's been developed since 1996 and therefore doing so would make versatile and more compatible with other clients that use applications that use Vcard and Vcalender format.

9. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2441

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein Elchanti/
Primary Patent Examiner

Oct. 15, 2010